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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANGELA WILLIAMS; JANE DOE #1; JANE
DOE #2
Plaintiffs,
v.
STEVE SISOLAK, Governor of Nevada, in
his official capacity; AARON FORD,
Attorney General of Nevada, in his official
capacity; THE CITY OF LAS VEGAS;
CLARK COUNTY; NYE COUNTY;
WESTERN BEST, INC. D/B/A CHICKEN
RANCH; WESTERN BEST LLC; JAMAL
RASHID; MALLY MALL MUSIC, LLC;
FUTURE MUSIC, LLC; PF SOCIAL MEDIA
MANAGEMENT, LLC; E.P. SANCTUARY;
BLU MAGIC MUSIC, LLC; EXCLUSIVE
BEAUTY LOUNGE, LLC; FIRST

Case No. 2:21-cv-01676

**PLAINTIFFS' LIMITED OPPOSITION
TO CLARK COUNTY'S OBJECTION TO
AND MOTION TO STRIKE [ECF NO.
164] PLAINTIFFS' ERRATA [ECF NO.'S
161, 162, 163]**

1 INVESTMENT PROPERTY LLC; V.I.P.
2 ENTERTAINMENT, LLC, MP3
3 PRODUCTIONS, INC., & MMM
4 PRODUCTIONS, INC.; SHAC, LLC D/B/A
5 SAPPHIRE GENTLEMAN'S CLUB
6 AND/OR SAPPHIRE; SHAC MT, LLC; and
7 LAS VEGAS BISTRO, LLC D/B/A LARRY
8 FLYNT'S HUSTLER CLUB;

9 Defendants.

10 Plaintiffs Angela Williams, Jane Doe #1, and Jane Doe #2 by and through their counsel of
11 record, hereby file their Limited Opposition to Clark County's Objection to and Motion to Strike
12 [ECF No.164] Plaintiffs' Errata [ECF No.' 161, 162, 163].

13 This Opposition is based upon all the pleadings and papers on file herein, the attached
14 Memorandum of Points and Authorities, and the oral arguments of counsel at the time of the
15 hearing in this matter, if any.

16 DATED this 23rd day of May, 2022

17 /s/ Jason D. Guinasso
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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiffs' counsel understood hearings had been requested at the time of filing its Oppositions [ECF No.'s 98, 133, 182]. On January 28, 2022, at the Status Conference and Hearing Regarding Clark County's Motion to Stay Discovery [ECF No. 125], the parties discussed the possibility of hearings as to the outstanding Motions to Dismiss and Motion to Strike before the Honorable Magistrate Judge Cam Ferenbach. During this conference Plaintiffs' counsel still believed hearings had been requested. When Plaintiffs emailed all parties on April 12, 2022, they were still under the impression that hearings had been requested. However, the April 12, 2022, communication was sent in an effort to stipulate that the scheduling of the hearings take place over the course of one or two days to most efficiently accommodate the parties' schedules.

Counsel for SHAC MT, LLC; SHAC, LLC; City of Las Vegas; and Nye County were agreeable to stipulating to jointly scheduling the hearings over the course of one or two days. *See Exhibit 1 (Email Correspondence between all parties dated April 13, 2022)*. Clark County even stated if it was the only party that "doesn't really feel that hearings are necessary for any of the pending motions" that it would "reluctantly join in any stipulation on hearings." *Id.* Thereafter, counsel for Western Best, Inc.; Western Best, LLC; Aaron Ford; and Steve Sisolak agreed with the County's response. *Id.* When the clerical error came to the attention of Plaintiff's counsel that the language "HEARING REQUESTED" was omitted in error from its original oppositions [ECF No.'s 98, 133, 182], the erratas were filed to correct the clerical error [ECF No. 161, 162, 163]. As Clark County has stated in its Objection, "the purposes of errata[s] filed with the Court are strictly for the purposes of 'address[ing] clerical errors.' *Bias v. Moynihan*, 508 F.3d 1212, 1224 (9th Cir. 2007). 'Notices of errata to clarify clerical errors are substantively different from attempts' to submit supplemental arguments before the Court." *Id.* Here, Plaintiffs have properly utilized the

1 purpose of an errata by correcting their clerical error, and Plaintiffs have not attempted to
2 supplement arguments.

3 As stated by Clark County, the Local Rules clearly provide that motions may be decided
4 *with* or without oral arguments—the implication being that a request for a hearing is not intended
5 to be granted to a party as a matter of right, but rather at the court’s discretion. *See* LR 78-1. In
6 this regard, the Court’s decision to grant or deny a request for oral argument falls within the
7 inherent discretionary and/or equitable powers of the Court. Indeed, it is certainly within this
8 Court’s discretion to set hearings given the gravity of this case and the implications of the decision
9 that is before this Honorable Court.

10 Plaintiffs respectfully request that this court set Hearings pursuant to the erratas filed on
11 May 3, 2022 [ECF No.’s 161, 162, 163]. Plaintiffs further request that this court deny Clark
12 County’s objection and motion to strike [ECF No. 164].

ELECTRONIC CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that on this 23rd day of May, 2022, a true and correct copy of the foregoing **PLAINTIFFS' LIMITED OPPOSITION TO CLARK COUNTY'S OBJECTION TO AND MOTION TO STRIKE [ECF NO. 164] PLAINTIFFS' ERRATA [ECF NO.'S 161, 162, 163]** was electronically filed with the United States District Court. Electronic service of the foregoing document shall be made in accordance with the Master Service List as follows:

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Defendant

The City of Las Vegas

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Defendant

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Defendant

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Defendant

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/s/ Bernadette Francis
Employee of Hutchison & Steffen